

AO 91 (Rev. 08/09) Criminal Complaint

FILED BY _____ D.C.

AUG 15 2023

ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S. D. OF FLA. - FT. LAUD.

UNITED STATES DISTRICT COURT

for the

Southern District of Florida

United States of America

v.

CARLOS ERNESTO LOZANO RODRIGUEZ,

Case No. 23-mj-6373-PMH

Defendant.

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the dates of August 14, 2023, in the county of Broward in the
Southern District of Florida, the defendant violated:

Code Section

8 U.S.C. § 1326(a)

Offense Description

Illegal Re-Entry After Removal

This criminal complaint is based on these facts:

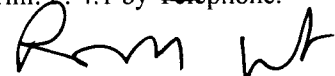
See attached affidavit.

☒ Continued on the attached sheet.

Complainant's signature

Calvin Hernandez, Special Agent, HSI

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by Telephone. in person.

Judge's signature

City and state: Fort Lauderdale, Florida

Patrick M. Hunt, United States Magistrate Judge

Printed name and title

8/15/2023

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Calvin Hernandez, being duly sworn, depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent with Homeland Security Investigations (HSI), United States Department of Homeland Security, and have been so employed for approximately two years. I am responsible for conducting investigations of illegal cross-border movement of people, goods, money, technology and other contraband throughout the United States, and related federal criminal statutes as contained in the United States Code.

2. This affidavit is for the limited purpose of establishing probable cause that **CARLOS ERNESTO LOZANO RODRIGUEZ (“LOZANO”)** committed violations of Title 8, United States Code, Section § 1326(a) (illegal re-entry after removal).

3. The statements contained in this affidavit are based upon my own personal knowledge, as well as information provided to me by other law enforcement officers. I have not included in this affidavit every fact and circumstance known to me, but only the facts and circumstances to establish probable cause in support of a criminal complaint.

PROBABLE CAUSE

4. In or around June 2023, law enforcement received a tip that **LOZANO** was illegally present in the United States.

5. A review of **LOZANO**'s immigration history revealed that **LOZANO** is a citizen of El Salvador, with no legal immigration status in the United States.

6. A review of records related to **LOZANO** further revealed that, on or around January 24, 2014, **LOZANO** was deported from the United States to his home country of El Salvador for being illegally present in the United States. On or about May 12, 2015, **LOZANO**

was again deported from the United States to his home country of El Salvador for being illegally present in the United States. On or about July 5, 2019, **LOZANO** was once more deported from the United States to his home country of El Salvador for being illegally present in the United States.

7. A records check confirmed that **LOZANO** has not filed an application for permission to re-apply for admission into the United States after his prior removals. Additionally, a records check confirmed that there is no record of **LOZANO** having obtained consent from the Attorney General of the United States, or from the Secretary of Homeland Security, for re-admission into the United States.

8. On or around August 14, 2023, federal law enforcement did find **LOZANO** to be voluntarily back in the United States. Specifically, federal law enforcement found **LOZANO** to be present in Broward County, in the Southern District of Florida.

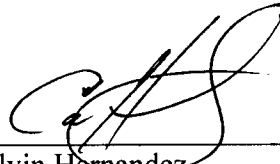
9. After being read and having waived his *Miranda* rights, **LOZANO** agreed to speak with law enforcement. In a post-*Miranda* statement, **LOZANO** did acknowledge his identity and did admit that he was subject to the aforementioned prior deportations and removals from the United States.

[SPACE INTENTIONALLY LEFT BLANK]

CONCLUSION

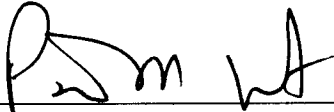
Based on the foregoing facts, I respectfully submit that there is probable cause to support a criminal complaint charging **CARLOS ERNESTO LOZANO RODRIGUEZ** ("**LOZANO**") with violations of Title 8, United States Code, Section 1326(a) (illegal re-entry after removal).

FURTHER YOUR AFFIANT SAYETH NAUGHT.



Calvin Hernandez
Special Agent, HSI

Sworn to and subscribed before me in my presence on this 15th day of August, 2023, at Fort Lauderdale, Florida



PATRICK M. HUNT
UNITED STATES MAGISTRATE JUDGE

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NUMBER: 23-mj-6373-PMH

BOND RECOMMENDATION

DEFENDANT: CARLOS ERNESTO LOZANO RODRIGUEZ

Pre-Trial Detention

(Personal Surety) (Corporate Surety) (Cash) (Pre-Trial Detention)

By: /s/ Sterling M. Paulson

AUSA: Sterling M. Paulson

Last Known Address: 33 NE 4th St

Miami, FL 33132

What Facility: Federal Detention Center

Agent(s): Calvin Hernandez

(FBI) (SECRET SERVICE) (DEA) (IRS) (ICE) (**OTHER**)

HSI